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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,308	06/13/2000	Cary Lee Bates	ROC920000014	7379

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EXAMINER	
SMITH, PETER J	

ART UNIT	PAPER NUMBER
2176	3

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/592,308	BATES ET AL.	
	Examiner	Art Unit	
	Peter J Smith	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 June 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2*.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: application filed on 06/13/2000, IDS filed on 07/10/2000.

2. Claims 1-27 are pending in the case. Claims 1, 10, and 19 are independent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 10-12, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damerau et al. (hereafter referred to as Damerau), US 5,258,909 patented 11/02/1993 in view of McRae et al. (hereafter referred to as McRae), US 4,847,766 patented 07/11/1989.

Regarding independent claims 1, 10, and 19, Damerau teaches allowing a user to replace each problem word contained in a document with a respective replacement word in col. 1 lines 38-52. Damerau does not specifically teach storing each problem word and respective replacement word to a first data structure, wherein each problem word is associated with the respective replacement word. Damerau does teach comparing each problem word and each of a set of replacement words in fig. 4. McRae teaches a list of each problem word and respective replacement word, wherein each problem word is associated with the respective replacement word.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have saved the comparisons of the problem word and each replacement word into a data structure so that it could form a list such as that taught by McRae and have been used again in the future. This would have reduced the computational time required to replace the problem word in the future.

Regarding dependent claims 2, 11, and 20, Damerau teaches accessing a data structure to identify problem words in another document in col. 1 lines 38-52.

Regarding dependent claims 3, 12, and 21, Damerau teaches editing a document to replace problem words with replacement words in col. 2 lines 24-41. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have stored and compared the pre-edited and post-edited content to identify the problem words and replacement words because those would have been the only words different between the two document versions.

4. **Claims 4-5, 13-14, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damerau et al. (hereafter referred to as Damerau), US 5,258,909 patented 11/02/1993 in view of McRae et al. (hereafter referred to as McRae), US 4,847,766 patented 07/11/1989 as applied to claims 3, 12, and 21 above, and further in view of Lange et al. (hereafter referred to as Lange), US 4,674,065 patented 06/16/1987.**

Regarding dependent claims 4, 13, and 22, Damerau does not specifically teach storing pre-edited and post-edited contents into a data structure. Lange does teach storing pre-edited and post-edited contents into a data structure in fig. 1, fig. 2 and col. 2 line 67 – col. 3 line 1. It

would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lange into Damerau to have created the claimed invention. It would have been obvious and desirable to have stored both the pre-edited and post-edited contents into a data structure so that they would have been stored in the same location which would have allowed for easy comparison of the two documents.

Regarding dependent claims 5, 14, and 23, Damerau does not teach wherein the first and second data structures are the same. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the first and second data structures the same so that the software would have run most efficiently by using as few types of data structures as possible.

5. Claims 6-7, 15-16, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damerau et al. (hereafter referred to as Damerau), US 5,258,909 patented 11/02/1993 in view of McRae et al. (hereafter referred to as McRae), US 4,847,766 patented 07/11/1989 as applied to claims 1, 10, and 19 above, and further in view of Grover et al. (hereafter referred to as Grover), US 5,818,437 patented 10/06/1998.

Regarding dependent claims 6, 15, and 24, Damerau does not teach assigning a priority value to each problem word. Grover does teach assigning a priority value to each problem word in col. 7 line 61 – col. 8 line 4. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Grover into Damerau to have created the claimed invention. It would have been obvious and desirable to have assigned a priority value to

the problem words so that the user could have known which words were the most problematic for them.

Regarding dependent claims 7, 16, and 25, Damerau does not teach wherein the priority value is determined according to a number of times a particular problem word is replaced by the user with the respective replacement word. Grover does teach wherein the priority value is determined according to a number of times a particular problem word is replaced by the user with the respective replacement word in col. 7 line 61 – col. 8 line 4. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Grover into Damerau to have created the claimed invention. It would have been obvious to have assigned the priority value based on word frequency since the most frequent problem words are the ones which would the user needs the most help in fixing.

6. Claims 8-9, 17-18, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damerau et al. (hereafter referred to as Damerau), US 5,258,909 patented 11/02/1993 in view of McRae et al. (hereafter referred to as McRae), US 4,847,766 patented 07/11/1989 as applied to claims 1, 10, and 19 above, and further in view of Cai et al. (hereafter referred to as Cai), US 6,175,834 B1 filed 06/24/1998.

Regarding dependent claims 8, 17, and 26, Damerau does not teach assigning a formatting definition to each problem word for use in identifying words on a display device. Cai teaches assigning a formatting definition to each problem word for use in identifying words on a display device in col. 8 lines 18-22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Cai into Damerau to have created the

claimed invention. It would have been obvious and desirable to have highlighted the problem words so that the user could have easily viewed them in the document.

Regarding dependent claims 9, 18, and 27, Damerau does not teach wherein the formatting definition is selected from one of a color, a shading, a textual modification, an underline and any combination thereof. Cai teaches wherein the formatting definition is selected from one of a color, a shading, a textual modification, an underline and any combination thereof in col. 8 lines 18-22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Cai into Damerau to have created the claimed invention. It would have been obvious and desirable to have highlighted the problem words so that the user could have easily viewed them in the document.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Golding, US 5,659,771 patented 08/19/1997 discloses a system for spelling correction in which the context of a word in a sentence is utilized to determine which of several alternative or possible words was intended. Golding et al., US 5,956,739 patented 09/21/1999 discloses a system for correcting users' mistakes including context-sensitive spelling errors. Yagisawa et al., US 5,890,182 patented 03/30/1999 discloses sentence processing wherein a possibly erroneous word is extracted from a sentence by analyzing the sentence in accordance with predetermined grammar and predetermined information on words.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

PJS
December 4, 2003

JOSEPH H. FEILD
PRIMARY EXAMINER